

107TH CONGRESS  
1ST SESSION

# S. 1655

To amend title 18, United States Code, to prohibit certain interstate conduct relating to exotic animals.

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 8, 2001

Mr. BIDEN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend title 18, United States Code, to prohibit certain interstate conduct relating to exotic animals.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Captive Exotic Animal  
5       Protection Act of 2001”.

1 **SEC. 2. TRANSPORT OR POSSESSION OF EXOTIC ANIMALS**  
 2 **FOR PURPOSES OF KILLING OR INJURING**  
 3 **THEM.**

4 (a) IN GENERAL.—Chapter 3 of title 18, United  
 5 States Code, is amended by adding at the end the fol-  
 6 lowing:

7 **“§ 48. Exotic animals**

8 “(a) PROHIBITION.—Whoever, in or substantially af-  
 9 fecting interstate or foreign commerce, knowingly trans-  
 10 fers, transports, or possesses a confined exotic animal, for  
 11 the purposes of allowing the killing or injuring of that ani-  
 12 mal for entertainment or for the collection of a trophy,  
 13 shall be fined under this title, imprisoned not more than  
 14 1 year, or both.

15 “(b) DEFINITIONS.—In this section—

16 “(1) the term ‘confined exotic animal’ means a  
 17 mammal of a species not historically indigenous to  
 18 the United States, that has been held in captivity for  
 19 the shorter of—

20 “(A) the greater part of the life of the ani-  
 21 mal; or

22 “(B) a period of 1 year;  
 23 whether or not the defendant knew the length of the  
 24 captivity; and

25 “(2) the term ‘captivity’ does not include any  
 26 period during which an animal—

1                   “(A) lives as it would in the wild, surviving  
2                   primarily by foraging for naturally occurring  
3                   food, roaming at will over an open area of not  
4                   less than 1,000 acres; and

5                   “(B) has the opportunity to avoid hunt-  
6                   ers.”.

7           (b) CLERICAL AMENDMENT.—The analysis for chap-  
8   ter 3 of title 18, United States Code, is amended by add-  
9   ing at the end the following:

“48. Exotic animals.”.

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